

ORDINANCE NO. 263

AN ORDINANCE TO CONTROL THE PARKING OF VEHICLES, TRAILERS, AND ANY OTHER FORM OF WHEELED, LUGGED, OR TRACKED TRANSPORTATION ON THE STREETS AND BY-WAYS OF ROMAN FOREST, TEXAS, MAKING VIOLATION PUNISHABLE BY A FINE NOT LESS THAN \$50.00 NOR MORE THAN \$250.00 PER VIOLATION; REPEALING ORDINANCE 238; AND PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROMAN FOREST, TEXAS:

Section 1: DEFINITION OF TERMS- the following words and terms, as used herein, have the meaning respectively ascribed to them in the Ordinance, as follows:

- a. "Vehicle"- every device in, or by which any person or property is or may be transported or drawn upon a public highway, except devices used exclusively upon stationary rails or tracks.
- b. "Motor Vehicle"- every vehicle, as herein defined, that is self-propelled.
- c. "Motorcycle"- every motor vehicle designed to propel itself with not more than three wheels in contact with the ground but excluding a tractor.
- d. "Truck-tractor"- every motor vehicle designed or used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.
- e. "Road-tractor"- every motor vehicle designed or used for drawing other vehicles or loads, and not so constructed as to carry a load independently or any part of the weight of the drawn load or vehicle.
- f. "Trailer"- every vehicle designed or used to carry its load wholly on its own structure and to be drawn by a motor vehicle.
- g. "Semi-trailer"- vehicles of the trailer type so designed or used in conjunction with a motor vehicle that some part of its own weight and that of its load rest upon or is carried by another vehicle
- h. "Commercial Motor Vehicle"- any motor vehicle (other than a motorcycle or passenger car) designed or used primarily for the transportation of property,

including any passenger car which has been reconstructed so as to be used, and which being used in the delivery of the United States Mail.

- i. "Passenger Car"- any motor vehicle other than a motorcycle, golf cart, or a bus as defined in this ordinance, designed or used primarily for the transportation of persons.
- j. "Owner"- any person who holds the legal title of a vehicle or has the right of possession thereof or the legal right of control of said vehicle.
- k. "Towing Company"- any individual, corporation, partnership, or association, engaged in the business of towing vehicles on a public highway for compensation or with the expectation of compensation for the towing, storage, or repair of vehicles. The term "towing company" includes the owner, operator, employee, or agent of a towing company, but does not include cities, counties, or other political subdivisions of the state.

Section 2: PARKING PROHIBITED IN THESE AREAS

Outside of business or residence district unless a clear view of such parked vehicle is available from a distance of two hundred (200) feet in each direction upon such street: Within fifteen (15) feet of a fire hydrant: Within thirty (30) feet upon the approach to any flashing signal, stop sign, yield sign, or traffic control signal located at the side of a roadway; Within any area designated as No Parking.

Section 3: EXCEPTIONS.

All emergency vehicles, city owned or operated vehicles, or vehicles employed on behalf of the City of Roman Forest shall be exempt from the provisions of this Ordinance while in the performance of their duties.

Section 4: REMOVAL BY TOWING COMPANY

A towing company may, without the consent of the owner or operator, remove and store at the expense of the owner or operator, any vehicle, motor vehicle, motorcycle, truck-tractor, road-tractor, trailer, semi-trailer, commercial motor vehicle, or passenger car, under the direction of a peace officer, that is in violation of this Ordinance.

Section 5: PENALTY FOR VIOLATIONS

Any person, firm, or corporation, who shall violate the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than fifty (\$50.00) dollars nor more than two hundred and fifty (\$250.00) dollars. If any violation is continuing, each day's violation shall be deemed a separate offense.

SECTION 6: SAVINGS CLAUSE

If any provisions, section, exception, subsection, paragraph, sentence, clause or phrase of this Ordinance or the application of same to any person or set of circumstances, shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this Ordinance or their application to other persons or sets of circumstances and to this end all provisions of this Ordinance are to be declared severable.

SECTION 7: REPEALING CLAUSE

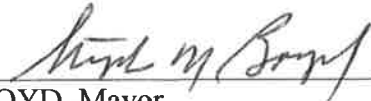
All other ordinances or parts of ordinances inconsistent with the terms of this Ordinance, in particular Ordinance no. 238, are hereby repealed; provided however, that such repeal shall be only to the extent of such inconsistency and in all other respects this Ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this Ordinance.

SECTION 8: EFFECTIVE DATE

This ordinance shall be in full force and effective upon its publication

PASSED AND APPROVED THIS 21st DAY OF November, 2000

CITY OF ROMAN FOREST, TEXAS

By: 
S. BOYD, Mayor

ATTEST:


City Secretary